

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH B. GIBBS,

No C-14-4200 TEH (PR)

Plaintiff.

ORDER REOPENING ACTION

v.

LVN PETERSON, et al.,

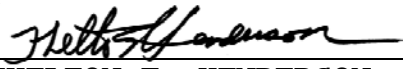
Defendants.

Plaintiff, a state prisoner currently incarcerated at California State Prison - Sacramento ("CSP-SAC"), filed the instant pro se civil rights action under 42 U.S.C. § 1983. On December 17, 2014, the action was dismissed because Plaintiff failed to file a complaint and an in forma pauperis ("IFP") application by the deadline. Plaintiff has since filed a complaint and IFP application along with a letter explaining that the CSP-SAC Litigation Coordinator failed to process these documents on time.

Accepting as true Plaintiff's statements that the late filing was due to circumstances beyond his control, the action is hereby REOPENED. The order of dismissal (Docket No. 6) is VACATED. Plaintiff's complaint will be reviewed in a separate order.

IT IS SO ORDERED.

DATED 01/05/2015


THELTON E. HENDERSON
United States District Judge